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**A BYLAW OF THE SUMMER VILLAGE OF SUNDANCE BEACH TO IMPLEMENT  
A MUNICIPAL ADDRESSING SYSTEM**

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**WHEREAS**, the Summer Village (as defined below) may, pursuant to Section 58 of the MGA (as defined below), pass a Bylaw requiring owners of a building or parcel of land to display numbers assigned to their building or parcel of land in a standardized format;

**AND WHEREAS**, the Council (as defined below) deems it desirable to put into effect a municipal addressing system which can be utilized by emergency service providers and delivery services, and for other purposes;

**NOW THEREFORE**, the Council, duly assembled, enacts as follows:

**1. SHORT TITLE**

1.1 This Bylaw shall be known as the "Municipal Addressing Bylaw".

**2. DEFINITIONS**

2.1 Definitions used in this Bylaw, if not defined in this Bylaw, shall have the same meanings attributed to those definitions in the MGA.

2.2 In this Bylaw:

- a) **"Bylaw Enforcement Officer"** means (i) a person who is an employee of the Summer Village or a third party and who has been appointed to carry out the duties of enforcing its Bylaws, (ii) a person who is a community peace officer as defined under the *Peace Officer Act Statutes of Alberta 2006, Chapter P-3.5*, or (iii) a person who is a member of the Royal Canadian Mounted Police;
- b) **"CAO"** means the Chief Administrative Officer for the Summer Village;
- c) **"Council"** means the Council of the Summer Village;
- d) **"MGA"** means the *Municipal Government Act, Revised Statutes of Alberta, 2000 Chapter M-26*;
- e) **"Municipal Address Sign"** means a sign which has been approved by the Summer Village and which displays the address number assigned by the Summer Village to a Property;
- f) **"Municipal Tag"** means a ticket issued by the Summer Village pursuant to the MGA for breach of its Bylaws;



- g) **"Occupant"** means a Person, other than an Owner or a User, who (i) is in possession or control of a Property, or (ii) has the right to use and occupy a Property, in each case whether under a lease, tenancy, rental arrangement, easement, license, agency arrangement or otherwise;
- h) **"Owner"** means the registered owner of a Property;
- i) **"Person"** means an individual and includes partnership, corporation, trustee, executor, joint venture, proprietorship, association, society and any other legal entity;
- j) **"POPA"** means the *Provincial Offences Procedure Act, Revised Statutes of Alberta, 2000 Chapter P-34*;
- k) **"Property"** means any land which is located in the Summer Village and which is (i) privately owned, or (ii) owned or controlled by the Summer Village;
- l) **"Remedy Order"** means an order issued in accordance with Section 545 or 546 of the MGA;
- m) **"Right of Access"** means the right of a Bylaw Enforcement Officer or a designated officer to enter onto a Property to inspect the Property, in accordance with Section 542 of the MGA, and determine if there are conditions that may contravene or fail to comply with the provisions of this Bylaw;
- n) **"Summer Village"** means the Summer Village of Sundance Beach;
- o) **"User"** means a Person, other than an Owner or an Occupant, who has the right to use or occupy a Property, whether as a guest, relative or otherwise; and
- p) **"Violation Ticket"** means a ticket issued pursuant to Part 2 or Part 3, as applicable, of the POPA.

### 3. GENERAL INTERPRETATION

- 3.1 All schedules attached to this Bylaw form part of this Bylaw.
- 3.2 Headings or subheadings in this Bylaw are inserted for ease of reference and guidance purposes only and do not form part of this Bylaw.



- 3.3 Words in the singular include the plural and words in the plural include the singular.
- 3.4 Where this Bylaw cites or refers to any act, regulation, code or other bylaw, the citation or reference to the act, regulation, code or other bylaw includes any amendments thereto before or after the commencement of this Bylaw, and includes reference to any act, regulation, code or other bylaw that may be substituted in its place.
- 3.5 Each provision of this Bylaw is independent of, and severable from, all other provisions and if any provision is declared invalid or unenforceable for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- 3.6 Nothing in this Bylaw relieves a Person from complying with any provision of any federal, provincial or municipal law or regulation or any requirement of any lawful permit, order or license.

#### **4. MUNICIPAL ADDRESS SIGNS**

- 4.1 The Summer Village shall have the power to assign a number address to each Property.
- 4.2 The CAO, or his or her delegate, shall have the authority to affix a Municipal Address Sign, displaying the municipal address, on all Properties located in the Summer Village.
- 4.3 The Owner, Occupant or User of a Property shall maintain the Municipal Address Sign applicable to his or her Property in good condition and shall not cause or allow the visibility of the Municipal Address Sign to be obscured from the road.
- 4.4 The Owner, Occupant or User of a Property shall be prohibited from moving, or allowing to be moved, any Municipal Address Sign that is applicable to his or her Property without written permission from the CAO.
- 4.5 The Owner, Occupant or User of a Property shall be responsible for all costs associated with any replacement of, or repair to, the Municipal Address Sign applicable to his or her Property.

#### **5. PROHIBITIONS**

- 5.1 No Owner, Occupant or User of a Property shall:



- a) damage, deface or remove a Municipal Address Sign from any Property;
- b) obstruct or obscure any Municipal Address Sign by any natural or man-made object whether temporarily or not;
- c) fail to report to the Summer Village any known situation where the Municipal Address Sign applicable to his or her Property has become damaged, defaced, removed, obstructed or obscured; or
- d) obstruct any Bylaw Enforcement Officer or any designated officer in the performance of his or her investigation and lawful authority to enforce this Bylaw.

## **6. FINES AND ENFORCEMENT**

- 6.1 A Person who contravenes any provision of this Bylaw is guilty of an offence pursuant to this Bylaw.
- 6.2 A Bylaw Enforcement Officer or a designated officer is hereby authorized to have the Right of Access to enter any Property for the inspection of conditions that may contravene or fail to comply with the provisions of this Bylaw.
- 6.3 Any Owner, Occupant or User who contravenes any of the provisions of this Bylaw may be issued a Remedy Order by a Bylaw Enforcement Officer or a designated officer to remedy a contravention of this Bylaw in any manner deemed necessary in the circumstances.
- 6.4 When a condition exists which contravenes any of the provisions of this Bylaw, the Bylaw Enforcement Officer or a designated officer may:
  - a) issue a warning notice to the Owner, Occupant or User of the Property in question, advising of the condition and directing as to what conditions are to be rectified within 14 days from the date of issuing the warning notice or as determined by the Bylaw Enforcement Officer or designated officer; and/or
  - b) issue a Remedy Order to the Owner, Occupant or User of the Property in question and direct that the condition be rectified within 14 days from the date of issuing the Remedy Order.



- 6.5 If any Owner, Occupant or User of a Property fails, neglects or refuses to remedy the condition as directed by the Bylaw Enforcement Officer or a designated officer, then the Summer Village may cause the work to be performed to remedy the condition and, with respect to the costs of such work:
- a) recover such costs from such Owner, Occupant or User as a debt due to the Summer Village; or
  - b) charge such costs against the Property in question as taxes due and owing in respect of that Property and recover such costs as such.
- 6.6 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of the offence is liable to a fine in an amount not less than the amount established in accordance with section 6.7 below for each separate offence.
- 6.7 Notwithstanding whether a Remedy Order has been issued under this Bylaw, any Person who contravenes any provision of this Bylaw is guilty of an offence under this Bylaw and liable for a fine not less than the amount established in this section and not more than \$10,000. The following fine amounts are established for use in Municipal Tags and Violation Tickets (which offer a voluntary payment option):
- a) \$200 for any offence under this Bylaw; and
  - b) double the fine amount described above for any subsequent offence (which means an offence committed by a Person within one year after that Person has already been convicted of the same offence or has voluntarily paid a fine for the same offence).
- 6.8 With respect to an offence under this Bylaw, a Bylaw Enforcement Officer may issue a Municipal Tag or a Violation Ticket specifying the amount of the fine established in accordance with Section 6.7 above.
- 6.9 When a Municipal Tag is issued, the amount of the fine indicated therein may be paid in accordance with the Municipal Tag in lieu of prosecution.
- 6.10 When a Violation Ticket is issued with a specified penalty, the amount of the fine indicated therein may be paid in accordance with the Violation Ticket in lieu of prosecution.



- 6.11 Nothing in this Bylaw shall preclude a Bylaw Enforcement Officer from issuing a Violation Ticket for a mandatory court appearance to any Person who contravenes any provision of this Bylaw.
- 6.12 Nothing in this Bylaw shall preclude a Bylaw Enforcement Officer from laying charges under any alternate governing legislation.

## 7. COMING INTO FORCE

- 7.1 This Bylaw shall come into full force and effect upon final passing.

**READ** a first time this 11<sup>th</sup> day of March 2021.

**READ** a second time this 11<sup>th</sup> day of March 2021.

**READ** a third and final time this 24<sup>th</sup> day of June, 2021.

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Peter Pellatt, Mayor  
Summer Village of Sundance Beach

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June Boyda, Chief Administrative Officer  
Summer Village of Sundance Beach